

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AIR CHINA LIMITED,

Plaintiff,

-against-

: Case No.
: 07 CV 11128
: (LTS) (DFE)
:
: (Judge Swain)
:

NELSON LI (a/k/a SHENG LI),
JOHN A. VARACCHI (a/k/a JOHN A. DAVIS),
GEORGE F. DONOHUE, JAY KOPF
(a/k/a JACOB M. KOPF) CHRISTIAN M. DEUTSCH,
WBM-JMK DEVELOPMENT LLC
(d/b/a WBM INTERNATIONAL DEVELOPMENT), JMK
CONSTRUCTION GROUP LTD.,
TCC INTERIORS, LTD., GMAC REAL ESTATE LLC,
GMAC REAL ESTATE IPG NEW YORK,

Defendants.

: **AFFIDAVIT**
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STATE OF NEW YORK)
) ss.
COUNTY OF NEW YORK)

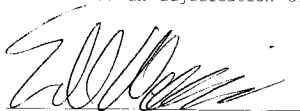
EDWARD WEISSMAN, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and I am counsel for all for all of the defendants in this case, except for the GMAC defendants. I submit this Affidavit in connection with the defendants' motion to dismiss this action in favor of arbitration.

2. Although the request for a dismissal in favor of arbitration is fully set forth and documented in the accompanying Affidavit of Jay Kopf, each of the defendants join in that application, as requested in the attached Notice of Motion, supporting Memorandum of Law and Affidavit of Jay Kopf.


3. Rather than submit multiple "me too" affidavits by each of my clients, I have been authorized by my other clients to express their consent to the relief sought on this motion.

4. This Affidavit is also submitted to attest to the fact that, in compliance with this Court's Rules, plaintiff's counsel, Jacques Catafago, and myself have discussed a resolution of the underlying dispute regarding the enforceability of the arbitration provision prior to prosecuting this motion. We were unable to reach a resolution of the disputed issue. As such, defendants now turn to this Court for an adjudication of the motion.



EDWARD WEISSMAN

Sworn to before me this
5th day of February, 2008



Cori A. Robinson

Notary Public

CORI A. ROBINSON
Notary Public, State of New York
No. 02RO6171871
Qualified in New York County
Commission Expires July 30, 2011